

13281 U.S.PTO
031004

PATENT
Customer Number 22,852
Attorney Docket No. 02481.1671-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

17510 U.S.PTO
10/7996160
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Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Prior Application Art Unit: 1646

Prior Examiner: Olga N. Chernyshev, Ph.D.

SIR: This is a request for filing a Continuation Application under 37 C.F.R. § 1.53(b) of pending prior Application No. 09/991,964 filed November 26, 2001, of Franz-Josef RUBRÖDER, et al. for

**PROCESS FOR THE STABILIZATION OF PROTEINS IN COMPLEX MIXTURES
DURING THEIR STORAGE IN AQUEOUS SOLVENTS.**

Application No. 09/991,964 is a Rule 53(b) Continuation of Application No. 09/608,297, filed June 30, 2000.

1. Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior Application No. 09/991,964 as originally filed on November 26, 2001, which is incorporated herein by reference.
2. Enclosed is a substitute specification under 37 C.F.R. § 1.125. The undersigned hereby verifies that no new matter is added in this substitute specification.
3. Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 122(b)(2)(B)(i).
4. A Preliminary Amendment is enclosed.
5. The filing fee is calculated on the basis of the claims existing in the prior application as amended in the Preliminary Amendment filed herewith.

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Basic Application Filing Fee					\$770	\$ 770.00
	Number of Claims		Basic	Extra Claims		
Total Claims	47	-	20	27	x \$18	486.00
Independent Claims	2	-	3	0	x \$86	0.00
<input checked="" type="checkbox"/> Presentation of Multiple Dep. Claim(s)					+ \$290	290.00
Subtotal						\$ 1,546.00
Reduction by 1/2 if small entity						- 0.00
TOTAL APPLICATION FILING FEE						\$ 1,546.00

6. A check in the amount of \$1,546.00 to cover the filing fee is enclosed.
7. The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.
8. The prior application is assigned of record to: Aventis Pharma Deutschland GmbH as recorded June 30, 2000, at Reel 010911, Frame 0321.
9. Priority of Application No. 19930676.1, filed on July 2, 1999, in Federal Republic of Germany is claimed under 35 U.S.C. § 119. A certified copy is on file in prior Application No. 09/608,297, filed June 30, 2000.
10. Small entity status is appropriate and applies to this application.
11. The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewris, Reg.

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12. The power appears in the original declaration of prior Application No. 09/608,297, filed June 30, 2000.
13. Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.
14. Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, **Customer Number 22,852**.
15. Recognize as associate attorney: Elizabeth A. Doherty, Reg. No. 50,894.
16. Also enclosed are an Information Disclosure Statement, PTO Form 1449 and a copy of the Assignment filed in Application No. 09/608,297.

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in parent Application No. 09/991,964, filed November 26, 2001, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 10, 2004

By: Carol P. Einraud
Carol P. Einraud
Reg. No. 32,220